COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST
(ver 2.1) Using Form

Project Title & No. Pankey Conditional Use Permit / Reclamation Plan ED09-122 (DRC2005-00193)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

☒ Aesthetics	☒ Geology and Soils	☐ Recreation
☒ Agricultural Resources	☒ Hazards/Hazardous Materials	☒ Transportation/Circulation
☒ Air Quality	☒ Noise	☐ Wastewater
☒ Biological Resources	☐ Population/Housing	☒ Water
☐ Cultural Resources	☒ Public Services/Utilities	☒ Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Murry Wilson			12/22/2009
Prepared by (Print)	Signature		Date
John Nall		Ellen Carroll, Environmental Coordinator (for)	12/23/2009
Reviewed by (Print)	Signature		Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Chad Pankey for a Conditional Use Permit and Reclamation Plan to allow for a sand and gravel mining operation along a portion of the Salinas River and Vineyard Creek. The project will result in a total maximum disturbance of approximately 43-acres (including 33.59-acres of proposed extraction / skimming area, 7.5-acres of sorting and stockpiling, and 1.54-acres of haul roads) on a 1,167-acre parcel. The project is composed of three (3) excavation areas that total 105,500 cubic yards per year (36,000 from the north Salinas River excavation area, 60,000 from the south Salinas River exaction area, and 9,500 from the Vineyard Creek excavation area). The project would allow for a maximum yield of 105,500 cubic yards per year. The project is proposed to have a 20-year operational lifespan. The proposed project is within the Agriculture land use category and is located at 4444 Indian Valley Road, approximately 1.25 miles north of the Cross Canyon Road intersection and approximately 1,200 feet northeast of the community of San Miguel. The site is in the Salinas River planning area.

Revised Project Details

The project has been revised based upon concerns raised by resource agencies and the project specific Area-Wide Adaptive Management Plan (Management Plan). The management plan recommends that the proposed sand and gravel extraction project be limited to a maximum annual extraction of 105,500 cubic yards as described below. The revised project represents a 27% reduction in annual extraction amounts for the previously proposed project.

The Salinas River North Excavation Area boundary's original downstream excavation limit has been moved upstream approximately 600+ feet from the downstream property boundary. With this change, the corresponding annual maximum extraction from the North Area (at 2-ft cut) is approximately 36,000 cubic yards. A total of 16.06 acres will be disturbed within this region (comprised of the excavation area at 11.36 acres, operations/stockpiling at 3.1 acres, and haul/access roads at 1.6 acres). See Figures 1 and 2 below.

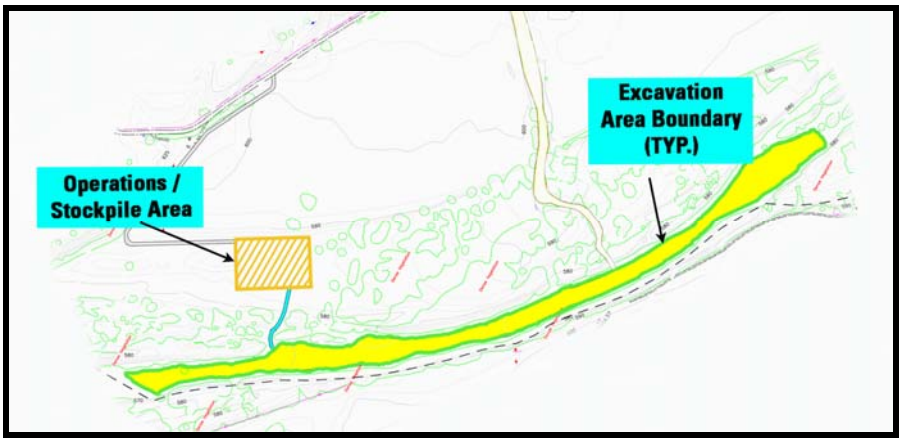

Figure 1: Salinas River North Excavation Area for previously proposed project.

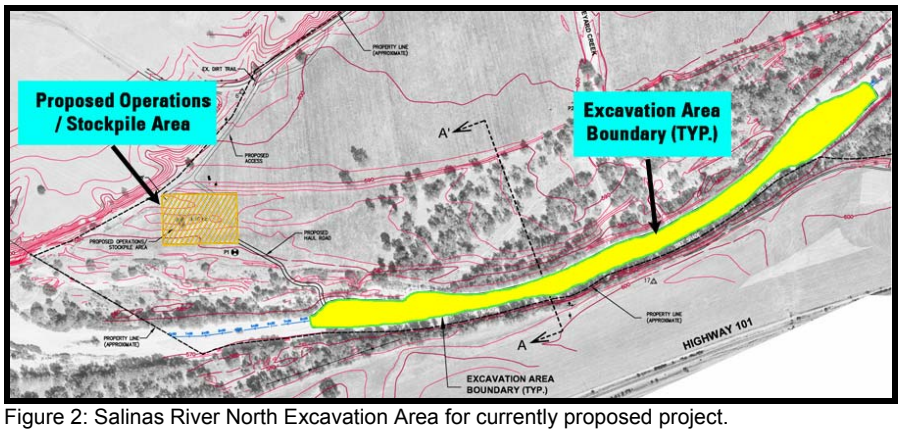

Figure 2: Salinas River North Excavation Area for currently proposed project.

The balance of the total 96,000 cubic yards to be extracted from the Salinas River will be from the Salinas River South Excavation Area (60,000 cubic yards / year). This area's excavation boundary has been adjusted so that the upstream limits are moved approximately 2,000 feet downstream from the upstream property boundary. The area was further augmented to improve streamlining and reduce erosion pressure on the trench banks and the vegetated islands. Disturbance within this area will total 22.27 acres (comprised of the excavation area at 18.57 acres, operations/stockpiling at 3.28 acres, and haul roads at 0.42 acres). See Figure 3 and 4 below.

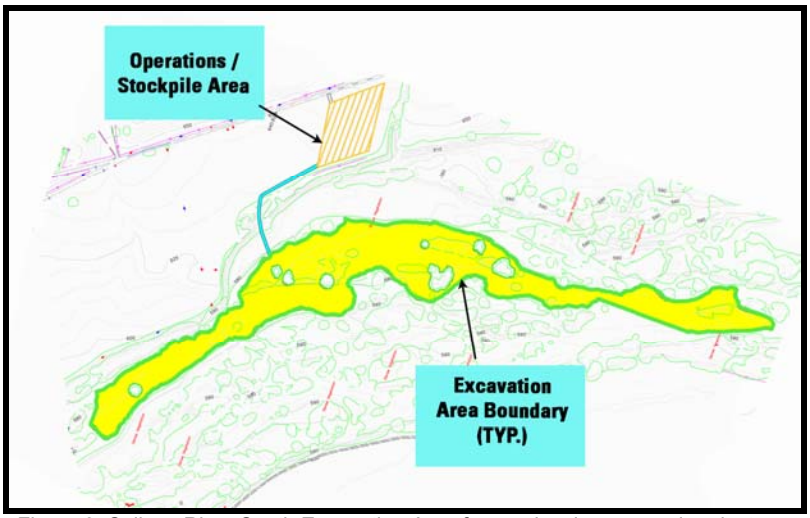

Figure 3: Salinas River South Excavation Area for previously proposed project.

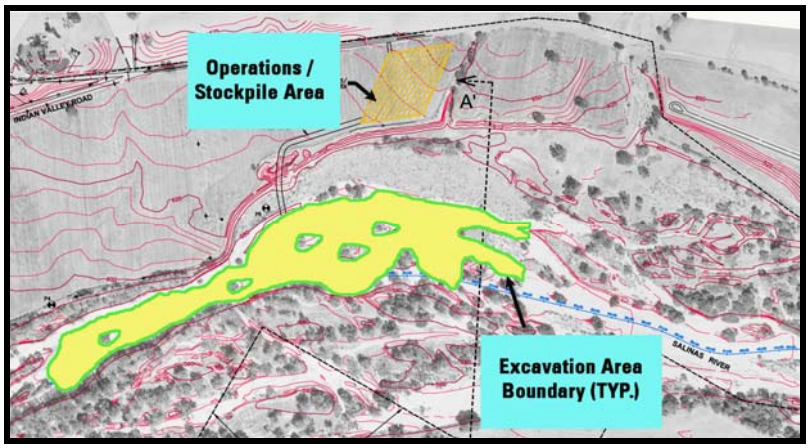

Figure 4: Salinas River South Excavation Area for currently proposed project.

The upstream grading limit within the Vineyard Creek excavation area has been relocated to approximately 400 feet upstream from the Indian Valley Road Bridge. This area now totals 3.66 acres and includes two (2) stockpile areas. A maximum 3-foot cut will be allowed, yet the average cut will be significantly less than this 3-foot maximum. This will result in the production of 9,500 cubic yards of aggregate per year from Vineyard Creek. In totality, 4.83 acres will be disturbed within this region (comprised of the excavation area at 3.66 acres, operations/stockpiling at 1.11 acres, and haul roads at 0.06 acres). See Figure 5 and 6 below.

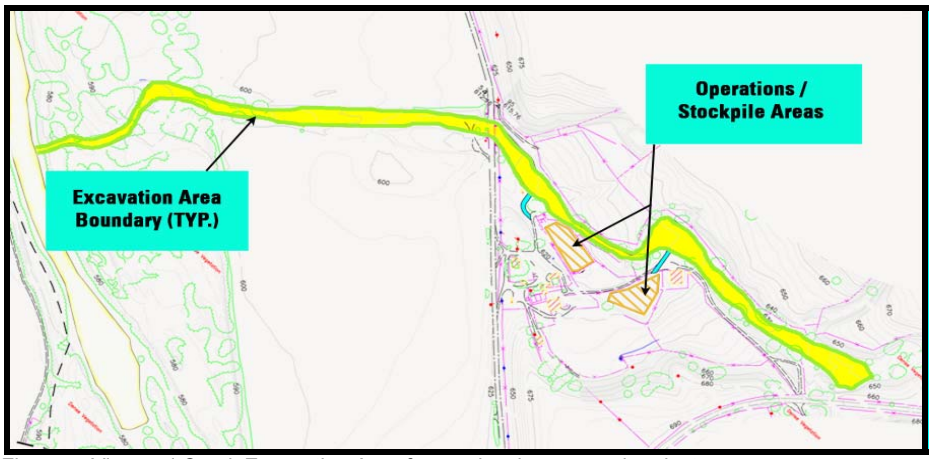

Figure 5: Vineyard Creek Excavation Area for previously proposed project.

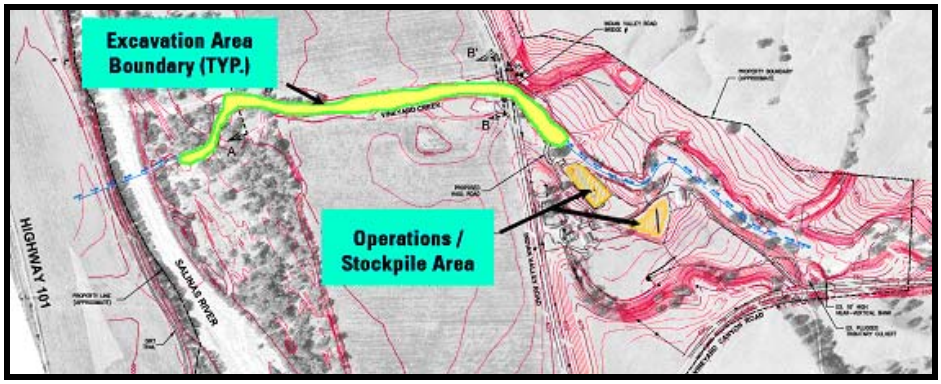

Figure 6: Vineyard Creek Excavation Area for currently proposed project.

Excavations within the Salinas River will not exceed 2-feet in any individual mining season with a maximum "redline" excavation depth of 5-feet within the Salinas River excavation areas (from the start

of mining activities). In addition, at no time will excavations occur within 1-foot of groundwater within the Salinas River.

First year excavations within Vineyard Creek would be approximately 4-feet below existing grade at or within 400 feet upstream and downstream of the Vineyard Creek Bridge. Elsewhere throughout the Vineyard Creek excavation area, the first year and subsequent year maximum excavation depth is 3-feet. The maximum "redline" depth for the Vineyard Creek excavation area will not exceed 4-feet.

Applicant Proposed Measures

The proposed / revised project includes applicant proposed mitigation measures that have been incorporated into the revised project description (see Attachment 1). These measures are proposed by the applicant and become a part of the proposed project description. These measures have the potential to reduce impacts to less than significant levels but shall be reviewed to determine if the proposed measures are adequate to address potentially significant impacts resulting from project related activities.

Existing technical reports shall be peer reviewed as part of the EIR. Revised technical reports include the Area-Wide Adaptive Management Plan (Geomorph; July 17, 2009) and the Air Quality Impact Analysis (Golder Associates; August 2009). The Area-Wide Adaptive Management Plan supersedes the previously prepared geology reports and is the basis for the revised project description. The Air Quality Analysis has been prepared to address concerns identified in the previous project description. The previously prepared and updated technical reports (listed in Exhibit A of the Initial Study Checklist) shall be peer reviewed and updated (as appropriate) to determining project related impacts.

ASSESSOR PARCEL NUMBER(S): 027-420-001, 002, 003, 005, 009, 010, 016 SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Salinas River, Rural

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): Flood Hazard

EXISTING USES: Undeveloped, agricultural uses, single-family residence(s), blue line creeks

TOPOGRAPHY: Nearly level to very steeply sloping

VEGETATION: Grasses , dryland grain production and irrigated crops

PARCEL SIZE: +/- 1,167 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; agricultural uses	*East:* Agriculture; grazing and single-family residence(s)
South: Agriculture; undeveloped	*West:* Public Facilities and Agriculture; wastewater treatement facility and agricultural uses

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study).

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

1. **AESTHETICS** - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	☒	☐	☐	☐
b) Introduce a use within a scenic view open to public view?	☒	☐	☐	☐
c) Change the visual character of an area?	☒	☐	☐	☐
d) Create glare or night lighting, which may affect surrounding areas?	☒	☐	☐	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other:_____	☐	☐	☐	☐

Setting. The project site (approximately 1,167-acres) includes a portion of the Salinas riverbed, the flood terrace on the eastern side of the Salinas River (currently used for irrigated and dry farming), and surrounding areas that are used for dry farming and grazing activities. The portion of the project site outside of the Salinas River banks (flood terrace) consists of an alluvial terrace that supports ongoing agricultural production (currently planted with alfalfa and yields multiple harvests annually). Gravel extraction is proposed in both the Salinas River and Vineyard Creek channels. The portions of the site being proposed for mining and stockpiling activities are currently void of structural development. Various agricultural buildings / facilities (i.e. barns, corrals, etc.) and residential uses are present on the subject property.

Impact. The proposed project does not include any structural development except for placement of a portable office trailer (approximately 10 feet x 20 feet). The project will use 7.5-acres along the upper terrace portion of the subject property (east of the Salinas riverbank) and along Vineyard Creek for stockpiling, sorting and an office trailer which would potentially be visible from Indian Valley Road. The project was originally proposed with 11.7-acres of sorting / stockpiling. Previous reductions and project revisions associated with the proposed sorting / stockpiling areas have reduced potential visual impacts associated with the proposed project from the original project proposal.

Specifically, stockpiled sand and gravel, equipment staging and the temporary office trailer would be visible to travelers along the portion of Indian Valley Road that fronts the subject property (an approximately 1 mile segment). Mining equipment not used during the winter months (non mining season) will be stored outside of the sorting / stockpile areas and within accessory buildings on the greater project site. The following equipment will likely be present within one of the three identified sorting / stockpile areas throughout the year to facilitate material deliveries and operations: front loader, screen with hopper and conveyer, portable office trailer (10 feet x 20 feet) and a portable toilet. A water tank will be placed on the site to supply water for dust control.

A portion of the project site would be visible from Indian Valley Road, consisting of the proposed sorting / stockpiling areas which include a portable office trailer and portable toilet (which could be moved between sorting / stockpiling areas dependent on mining activities) and would be potentially inconsistent with the rural / agricultural nature of the project area. The project components will not silhouette against any ridgelines as viewed from public roadways.

It is unlikely that extraction activities within the riverbank would be visible from Indian Valley Road due to intervening topography and vegetation along the eastern bank of the river corridor. The trenching / extraction activities would be temporary in nature (confined to the dry season when surface water is not present within the mining areas).

No lighting is proposed as a part of this project (i.e. within the sorting / stockpile areas) therefore surrounding areas are not anticipated to be impacted by the proposed development due to increased night lighting and / or glare from the proposed project. The applicant has indicated a desire to allow project activities outside of the identified working hours which would likely require the use of portable night lighting. If this request is granted by the Planning Commission, the project could result in impacts related to night lighting and glare to nearby sensitive receptors.

Mitigation/Conclusion. Water tanks are typical in a rural setting therefore would not be considered a significant impact. To mitigate the potential aesthetic impacts associated with the equipment storage, portable office and portable toilet at the sorting / stockpile areas, the applicant / operator will site the office structure, the mining equipment, portable toilet and any other mining equipment behind the proposed stockpiles locations and / or screened using existing topographic features as viewed from Indian Valley Road. To ensure that the project site (sorting / stockpile areas) will not create an aesthetically incompatible use open to public views, the applicant / operator will not store equipment that is not associated with the primary mining operation within the mining, stockpiling and sorting areas (see Attachment 1 – Applicant proposed measures).

Although the above measures have been incorporated into the revised project description and would minimize the visual impacts associated with the proposed mining operation, the project could result in a change to the visual character of the area by introducing a semi-industrial use into an agricultural area and the potential for night lighting associated with the request to operate outside of normal business hours. The aesthetic and visual impacts potentially resulting from the proposed project shall be evaluated as part of the EIR. The analysis shall be conducted to determine if views of the project site from surrounding roadways and nearby residential areas would be significantly impacted by the proposed project layout and activities. The analysis shall include establishing the existing visual character of the area, identification of key viewing areas from public view corridors, accurate and verifiable photosimulations, and an accompanying written analysis of impacts as they relate to relevant policies and standards. This analysis shall form the basis for any measures necessary (in addition to the applicant proposed measures) to mitigate potentially significant impacts. Measures may include, but not be limited to, stockpile height limitations, location of stockpiles, and lighting restrictions including shielding of night lighting away from sensitive light receptors.

2. AGRICULTURAL RESOURCES - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Convert prime agricultural land to non-agricultural use?	☐	☒	☐	☐
b) Impair agricultural use of other property or result in conversion to other uses?	☐	☒	☐	☐

2. AGRICULTURAL RESOURCES - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Conflict with existing zoning or Williamson Act program?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

Setting. The soil types on the overall project site (approximately 1,167-acres) are as follows:

Sorrento clay loam, (2 - 9% slope). This gently sloping soil is considered moderately drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

Nacimiento-Los Osos complex, (9 - 30 % slope).

Nacimiento- This moderately to steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Los Osos- This moderately to steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Nacimiento-Los Osos complex, (30 - 50 % slope).

Nacimiento- This moderately to steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Los Osos- This moderately to steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Metz-Tujunga complex, occasionally flooded, (0 - 5 % slope).

Metz-This nearly level to gently sloping soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: flooding. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Tujunga- This steeply to very steeply sloping soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: flooding. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Xerofluvents-Riverwash association. This variably sloping soil's drainage is not rated. The soil's erodibility and shrink-swell characteristics are not rated, as well as having potential septic system constraints due to: is not rated. The soil is considered Class VIII without irrigation and Class is not rated when irrigated.

Mocho clay loam, (2 - 9% slope). This gently sloping soil is considered moderately drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

Balcom-Calleguas complex, (50 - 75 % slope).

Balcom- This very steeply sloping soil is considered moderately drained. The soil has high erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Callguas- This very steeply sloping soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Nacimiento silty clay loam, (9 - 30 % slope). This moderately to steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Nacimiento silty clay loam, (30 - 50 % slope). This steeply to very steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Rincon clay loam, (2 - 9% slope). This gently sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

Metz loamy sand, (0 - 5 % slope). This nearly level to gently sloping soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to flooding. The soil is considered Class IV without irrigation and Class III when irrigated.

Arbuckle-Positas complex, (50 - 75 % slope).

Arbuckle- This moderately to steeply sloping soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Positas- This moderately to steeply sloping soil is considered very poorly drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

The project site (approximately 1,167-acres) includes a portion of the Salinas riverbed, the flood terrace on the eastern side of the Salinas River (currently used for irrigated and dry farming), and surrounding areas that are used for dry farming and grazing activities. The entire project site consists of a wide variety of soils including over 500-acres of prime farmland or farmland soils of statewide importance. The site is bordered by the Salinas River on the west and extends east into the Chalome Hills. Gravel extraction is proposed in both the Salinas River and Vineyard Creek channels. The

currently proposed mining operation would allow for a maximum annual extraction of 105,500 yards of material from the river systems; sorting the materials on site, and then delivery to off-site projects.

Intensified agricultural production occurs on a majority of the land proposed for roads, sorting / stockpiling, and will be displaced for the duration of mine operations (20-years). The area is utilized for a variety of agricultural operations, including grazing, alfalfa, vineyard, and dry-farmed crops. Approximately 175-acres of the project site has been utilized for irrigated alfalfa production, with approximately the same amount of area utilized for dry-farmed crops. Recently, irrigated production has been replaced by dry-farmed crops. The remainder of the site is grazed.

Impact. The project as previously proposed (2007); would have impacted approximately 25-acres of farmland including operations areas and roads (10-acres), various setbacks (8-acres) and the creation of an orphaned farm field (8-acres). This was an improvement from the original proposal, which would have impacted over 25-acres of the site with seven separate stockpile areas (three of which were located on cropland) and nearly 1.5 miles of operations roads across farmland. Much of the farmland impacted would have been prime farmland or farmland of statewide importance. The current revisions to the proposed project include relocation of the northern stockpile site to eliminate the "orphaned" farm field and a minor reduction in area needed for haul roads (0.13-acres) due to the revised stockpile location.

Policy Consistency
The proposed mining operation is unrelated to agricultural production or processing. As a non-agricultural use, relevant agriculture policies recommend limiting the impacts to soil and water resources and to agricultural operations. Specifically, *Agriculture Policy 18: Location of Improvements* provides direction to protect agricultural land from potentially incompatible and land consumptive uses. This could be accomplished by reducing the scale of the project so less land is needed for stockpiling and sorting. The applicant proposed measure to move the northern sorting / stockpile area further to the northwest would also reduce the amount of agricultural land impacted, by avoiding the separation of agricultural fields and by reducing the amount of agricultural land to be removed for agricultural use. This measure is consistent with the Department of Agriculture, February 14, 2007 referral response showing the alternative operations area.

To meet the objectives of *Agriculture Policy 18: Location of Improvements* and mitigate agricultural impacts associated with the proposed project, the applicant has revised the originally submitted project plans to be consistent with the above referenced policy.

Ordinance Consistency
The Salinas River Area Plan (Section 22.104.020E & F) directs new structural development and new parcels to be located off prime agricultural soils and soils with NRCS capability classifications of 1, 2, 3 and 4. Because the project will not create any new parcels and will not include permanent structural development (portable office trailer is proposed), the project is considered consistent with these standards.

Impacts to Agricultural Resources
The long-term displacement of portions of the site for the proposed use is addressed by state mining law (SMARA) which dictates that mined agricultural areas are to be restored at the conclusion of mine operations. Since the mine will be in operation for 20 years, there will be no permanent conversion of existing agricultural lands. However, existing agricultural operations will be displaced by the mine operations and agricultural resources—soils—will be impacted. Impacts can be minimized by:

- Ensuring mine operations only impact those areas identified by the applicant for sorting/stockpiling and haul roads;

- avoiding mingling of gravel from mine operations into capable farmland areas;
- avoiding dust impacts to adjoining productive farmland; and
- remediate impacts to farmland through soil restoration at the conclusion of the mine's term of operations.

Indirect impacts related to new project access points and haul routes have the potential to impact existing irrigation lines established on the river terrace.

Invasive Plant Control
Sand and gravel mine operations have the potential to spread weeds resulting in adverse impacts to agriculture including reduced yields, increased pesticide use, increased wildfire threats, and increased erosion and / or flooding. The easiest and most effective control is preventing the spread of weed seed. The Office of Mine Reclamation (OMR) references SMARA weed management requirements (CCR3705(k)) in the attached letter (Department of Conservation, February 8, 2008).

Mitigation/Conclusion. The project, as proposed, would impact approximately 10-acres of cropland including sorting / stockpile areas (operations), roads, and setbacks. No farm fields would be unnecessarily divided and impacts to prime farmland and farmland of statewide importance would be minimized. Primary concerns related to productive agriculture are as follows:

- Limit site impacts;
- protect farmland;
- control dust; and
- restore farmland capability.

Impacts to productive agricultural soils, existing agricultural uses, incompatibility conflicts between agricultural and non-agricultural land uses, ordinance and policy consistency, and cumulative agricultural resource impacts shall be evaluated in the project EIR. Consultation with the County Agriculture Department is required to assist in identifying any impacts from the revised project submittal and identifying any additional mitigation measures necessary.

3. AIR QUALITY - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☒	☐	☐	☐
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☒	☐	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☒	☐	☐	☐
e) Other: _____	☐	☐	☐	☐

Setting. The Air Pollution Control District (APCD) has developed the 2003 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the intermittent disturbance of an approximately 34-acre extraction area. A majority of this area can be divided into a "northern" and "southern" extraction area along the Salinas River. Materials extracted from these two areas will be stockpiled accordingly in the respective sorting / stockpile areas as identified on the revised project statement (see Attachment 1). Additional material will be extracted from Vineyard Creek (east and west of the Vineyard Creek Bridge). Material from this extraction area will be stockpiled either at the areas identified on the site plan as stockpile areas east of Indian Valley Road or in the northern sorting / stockpile location. This will result in the creation of operational dust, as well as short- and long-term vehicle emissions associated with the extraction and transportation activities.

Operating at maximum capacity (i.e. maximum quantities are extracted and all material is hauled off-site), the project would generate approximately 18 trips per day (Monday – Friday), approximately 13 trips per day (Saturday). At maximum capacity (105,500 cubic yards per year) using 20 cubic yard trucks to haul excavated materials, a total of 5,275 truck loads (10,550 trip-ends) would be required to remove all the excavated material each year. In addition, there will be vehicle trips associated with four proposed employees. The mining activities would remain in production only during the dry season (approximately June 1st to October 31st) subject to Department of Fish and Game approval. Vehicle trips associated with the delivery of mined material off the project site will continue throughout the year based on the demand for those materials. In addition, all heavy equipment associated with the proposed project will be subject to emission standards regulated by the required APCD permits.

Excavation of sand and gravel from the Salinas River and Vineyard Creek would occur while there is no flowing water over an approximate 83 day period. The scraper will operate for up to 7 hours per day within normal business hours. After material is gathered and stockpiled, the loader will be used to transfer material to the screen. Excavation of sand and gravel will not take place concurrently with the screening of excavated materials.

To address projects with the potential to exceed emissions thresholds, the APCD works to assure compatibility of proposed projects with surrounding land uses (both within the development itself and land uses outside the development). In April 2005, the Air Resources Board (ARB) issued a guidance document titled "Air Quality and Land Use Handbook" (ARB Handbook). In this document, the development of sensitive land uses, such as homes, in close proximity to intensive land uses (i.e., rail yards, gasoline dispensing facilities and dry cleaners etc.) was highlighted as a health concern due to the increased exposure to air pollution and diesel exhaust. Or for the reverse application, the Handbook also highlighted health concerns when siting new intensive uses that emit toxic air pollution (such as diesel emissions) in close proximity (i.e., 1000 feet) to sensitive receptors such as residential units, schools or playgrounds. The proposed project is located sufficiently far from sensitive receptors (greater than 1000 feet from off-site residences). As such, the project will not require a health risk evaluation to determine potential health risks to nearby residential uses due to the location of operations associated with the mining project.

In addition, as a result of recent State Legislation (Assembly Bill 32 and Senate Bill 97, respectively), projects subject to CEQA are expected to quantify project related greenhouse gas (GHG) emissions and identify feasible mitigation measures.

Dust generation has been identified as a potential impact resulting from project implementation. Dust complaints could result in a violation of the APCD's 402 "Nuisance" Rule.

This riverbed project site is also located on the boundary of the candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). If asbestos were present within the soil underlying the extraction area or areas of disturbance on the upper terrace (sorting / stockpile locations and haul routes), future site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Existing and proposed development within the County of San Luis Obispo require materials such as sand and gravel to facilitate construction activities within the County. Existing patterns associated with the delivery of construction materials often require transport from outside the immediate area of the project sites. These truck trips often require longer transport distances and hence additional air quality impacts associated with on-going development activities within the County and surrounding areas. As such, impacts related to vehicle / equipment emissions, GHGs, NOA and dust generation are considered potentially significant impacts.

Valley fever is a disease found primarily in the central valley with potential for occurrence in San Luis Obispo County. Valley fever occurs from the spoors of fungus that grow underground in virgin soils. The fungus releases is spoors into the atmosphere when it is dug up and can become airborne in high wind conditions. This issue will require analysis in the EIR.

Mitigation/Conclusion. The applicant has provided a revised Air Quality Impact Analysis (Golder Associates, August 2009) that has been updated based upon the revised project submittal. The information contained in the revised analysis shall be evaluated as part of the project EIR in consultation with the APCD. This report concluded that the applicant proposed mitigation measures would mitigate emissions associated with each of the criteria pollutants are less than the APCD Tier 2 significance thresholds. Any additional measures resulting from the peer review of the above referenced document shall be included in addition to the applicant proposed measures shown in Attachment A.

4. BIOLOGICAL RESOURCES - *Will the project:*		**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a)	***Result in a loss of unique or special status species or their habitats?***	☒	☐	☐	☐
b)	***Reduce the extent, diversity or quality of native or other important vegetation?***	☒	☐	☐	☐
c)	***Impact wetland or riparian habitat?***	☒	☐	☐	☐
d)	***Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?***	☒	☐	☐	☐
e)	***Other:*** _____	☐	☐	☐	☐

Setting. The following habitats were observed on the proposed project:

In order to provide a comprehensive analysis of project site biological resources, two biological / botanical assessments were prepared which provide a detailed description of the site, the biological resources likely to be found in the project area, observations and surveys conducted to confirm the

presence of any special status biological resources on the site, the possible impacts to these resources that could result from the proposed project and mitigation measures recommended to reduce impacts to less than significant levels. Initial biological studies prepared for the proposed project were subsequently reviewed by the County of San Luis Obispo, the California Department of Fish and Game, and the U.S. Fish and Wildlife Service.

Before impacts can be assessed, an updated comprehensive search of the latest California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS), and other biological references, will need to be accomplished to determine what sensitive vegetation, wildlife and/or habitats would be considered as potentially being within the vicinity of the proposed project. The original CNDDB search found twenty-five sensitive plant species as occurring in the Adelaida, Bradley, Estrella, San Miguel, Paso Robles, Ranchito Canyon, Stockdale, Valleton, and Wunpost quadrangles.

According to the September 27, 2007 Revised Biological Assessment, the following is a table of sensitive plant species with the status of identified potential occurrence on the subject property, according to database and literature research:

Scientific/ Common Name	Status Fed / State / Other*	Blooming period	Habitat Association	Potential to Occur on Subject Property with CNDDB referenced
Aristocapsa insignis **Indian Valley spineflower**	-/-/1B	May-September	Cismontane woodland, sandy soils	**Unlikely.** Not observed. The last sighting of this species was 1885 occurring just north of the SLO/ Monterey County line.
Blepharizonia plumose **Big tarplant**	-/-/1B	July-October	Valley and foothill grassland. Elevation 30-505m.	**Potential.** Not observed. No occurrences on CNDDB. Historical occurrences- probably extirpated by agriculture and non-native plants; also threatened by residential development.
California macrophylla **Round-leaved filaree**	-/-/1B	March-May	Cismontane woodland, valley and foothill grassland / clay. Elevation 15-1200m.	**Unlikely.** Not observed. One historical occurrence from 1937 between "Estrella & Parkfield"
Calycadenia villosa **Dwarf calycadenia**	-/-/1B	May-October	Chaparral, cis-montane woodland, valley and foothill grassland, meadows and seeps. Occurs on rocky substrates. Elevation 285-1350m.	**Potential.** Not observed. Two occurrences: one in area of Chimney Rock Road, Santa Lucia Mtns. (Adelaida quad.); one documented in Camp Roberts, north of Nacimiento river in 2001. Site below known elevation range.
Camissonia hardhamiae **Hardham's evening-primrose**	-/-/1B	April-May	Chaparral, cismontane woodland / sandy, decomposed carbonate, disturbed or burned areas.	**Unlikely.** Not observed. Six occurrences: all in Monterey county- disturbed roadside; burned area; dry sandbars in Salinas riverbed. One occurrence associated with blue oak woodland.
Castilleja densiflora ssp. obispoensis **Obispo Indian paintbrush**	-/-/1B	March-May	Meadows and seeps, valley and foothill grassland, generally coastal environs/sometimes serpentinite soils.	**Potential.** Not observed. Three occurrences: two on Camp Roberts assoc. with meadow in gravelly clay loam/clay soils; one in the Paso Robles area at the southwest corner of Airport and Dry Creek Road in 2005. Suitable habitat exists on Subject Property.
Caulanthus coulteri var.	-/-/1B	March-May	Pinyon-juniper woodland, valley and foothill grassland.	**Potential.** Not observed. Five occurrences: four between 1932-

Scientific/ Common Name	Status Fed / State / Other*	Blooming period	Habitat Association	Potential to Occur on Subject Property with CNDDB referenced
lemmonii **Lemmon's jewelflower**				1957, vague site locations. Most recent occurrence is in 2000 above Nacimiento River, near twin bridges, Camp Roberts. Grassland habitat is present, however not expected to occur.
Chlorogalum purpureum var. purpureum **Purple amole**	-/-/1B	April-June	Chaparral, cismontane woodland, valley and foothill grassland / gravelly, clay. Elevation 205-350m.	**Unlikely.** Not observed. One occurrence in 2003 on Camp Roberts. Associated with Oak woodland, meadow; gravelly to loamy clay soils with cryptobiotic crust. Site lacks suitable habitat. Site at lower elevation range.
Chorizanthe rectispina **Straight-awned spineflower**	-/-/1B	Apr-July	Chaparral, cismontane woodland, coastal scrub.	**Unlikely.** Not observed. One occurrence in 2005 on Camp Roberts associated with Limestone "pebble plain" with sparse non-native grasses. Site lack suitable habitat.
Delphinium umbraculorum **Umbrella larkspur**	-/-/1B	April-June	Cismontane woodland; elevation 400-1600 m.	**Unlikely.** Not observed. One occurrence in 1959 at the headwaters of Las Tables Creek on the Adelaida quad. Site lacks suitable habitat and site is below elevation range.
Entosthodon kochii **Koch's cord-moss**	-/-/1B	Moss	Cismontane woodland (soil); elevation 500-1000m.	**Unlikely.** Not observed. One occurrence on Camp Roberts in *Quercus douglasii* woodland. Site lacks suitable habitat.
Gilthopsis tenella **Delicate bluecup**	-/-/1B	May-June	Chaparral, cismontane woodland / mesic; elevation 1100-1900m.	**Unlikely.** Not observed. One occurrence in 1969 between Cholame Creek and Vineyard Canyon. Not listed on the CNPS search. Site lacks suitable habitat and is below elevation range.
Horkelia cuneata ssp. sericea **Kellogg's horkelia**	-/-/1B	April-September	Closed cone coniferous forest, coastal scrub, chaparral, coastal dune / sandy or gravelly, openings.	**Unlikely.** Not observed. One occurrence in 1877 in the vicinity of San Miguel. Site lacks suitable habitat.
Layia heterotricha **Pale-yellow layia**	-/-/1B	March-June	Cismontane woodland, pinyon and juniper woodland, valley and foothill grassland / alkaline or clay; elevation 300-1705 m.	**Unlikely.** Not observed. One occurrence on Camp Roberts in 1993. No habitat described. Site lacks suitable habitat and at lower elevation range.
Lepidium jaredii ssp. jaredii **Jared's pepper-grass**	-/-/1B	March-May	Valley and Foothill Grassland; alkali flats and sinks, sandy, alkaline, sometimes adobe soils; elevation 335-1005m.	**Unlikely.** Not observed. One occurrence in the late 1800's, not specific, in the Estrella area. Site is below elevation range.
Malacothamnus abbottii **Abbott's bush mallow**	-/-/1B	May-October	Riparian scrub; elevation 135-490m.	**Potential.** Not observed. Three occurrences in San Ardo associated with riparian scrub habitat on the Salinas River floodplain. Not listed on the CNPS search. Suitable habitat exists with the project site on the Subject Property.
Malacothamnus aboriginum **Indian Valley bush mallow**	-/-/1B	April-October	Chaparral, cismontane woodland / rocky, often in burned areas; elevation 150-1700m.	**Unlikely.** Not observed. Two occurrences reported on the CNDDB both associated with chaparral habitat at 1250 and 2500' msl. Not listed on the CNPS search. Site lacks suitable

Scientific/ Common Name	Status Fed / State / Other*	Blooming period	Habitat Association	Potential to Occur on Subject Property with CNDDB referenced
				habitat.
Malacothamnus davidsonii **Davidson's bush mallow**	-/-/1B	June-January	Chaparral, cismontane woodland, coastal scrub, riparian woodland.	**Potential.** Not observed. One occurrence on Camp Roberts-San Antonio River-approx. 2.5 miles upstream from Highway 101 crossing. Potential habitat exists on the Subject Property.
Malacothrix saxatilis var. arachnoidea **Carmel Valley malacothrix**	-/-/1B	(March) June-December (uncommon)	Chaparral (rocky).	**Unlikely.** Not observed. One occurrence documented on Camp Roberts-steep slope in chaparral/coastal sage scrub on decomposing shale. Site lacks suitable habitat.
Micropus amphibolus **Mt. Diablo cottonweed**	-/-/3	March-May	Broadleaved upland forest, chaparral, cismontane woodland, valley and foothill grassland (rocky).	**Unlikely.** Not observed. Listed on CNPS search. Not currently found in San Luis Obispo County. Site lacks suitable habitat.
Navarretia prostrata **Prostrate navarretia**	-/-/1B	April-July	Coastal scrub, meadows and seeps, valley and foothill grassland (alkaline), vernal pool / mesic.	**Unlikely.** Not observed. Three occurrences: 2001, 2002 and 2003. All on Camp Roberts associated with vernal pools and clay soils. Site lacks suitable habitat.
Navarretia nigelliformis ssp. radians **Shining navarretia**	-/-/1B	May-July	Cismontane woodland, valley and foothill grasslands, vernal pools; elevation 200-1000 m.	**Unlikely.** Not observed. Eleven occurrences: nine on Camp Roberts (2000-2003) assoc. with vernal pool habitat; one in 1907 in Paso Robles-no habitat, and one is 1891 in San Miguel-no habitat listed. Site lacks suitable habitat.
Plagiobothrys uncinatus **Hooked popcorn-flower**	-/-/1B	April-May	Chaparral (sandy), cismontane woodland, valley and foothill grassland; elevation 300-760 m.	**Unlikely.** Not observed. Two documented occurrences on Camp Roberts in 2003-both associated with moist clay soils. Not expected to occur due to lack of suitable habitat and site is at lower elevation range.
Stebbinsoseris decipiens **Santa Cruz microseris**	-/-/1B	April-May	Broadleaf upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, valley and foothill grassland / open areas, sometimes serpentinite soils.	**Unlikley.** Not observed. One occurrence in 2003: East Garrison, just East of the Salinas river, North of Nacimiento, Camp Roberts. Site lacks suitable habitat. Not listed as occuring in San Luis Obispo County.
Triteleia ixioides ssp. Cookii **Cook's triteleia**	-/-/1B	May-June	Closed-cone coniferous forest, cismontane woodland / serpentinite seeps.	**Unlikely.** Not observed. One occurrence at headwaters of Las Tablas Creek in Adelaida quad, "Old occurrence", unknown location. Site lacks suitable habitat.

According to the September 27, 2007 Revised Biological Assessment, the following is a table of sensitive bird, invertebrate, mammal, reptile, amphibian, and fish species with the identified status of potential occurrence on the subject property, according to database and literature research:

BIRDS Scientific/Common Name	Status Fed/State	Habitat Association	Potential to Occur on Subject Property

Accipiter cooperii **Cooper's hawk**	-/CSC	Mature forests, open woodlands, wood edges, and riparian areas.	**Potential.** Not observed. Uncommon permanent resident. CNDDB did not have any occurrences for this species. Potential forage and nesting habitat on Subject Property.
Agelaius tricolor **Tricolored blackbird**	-/CSC	Nests in colonies in reedy marshes, winters and forages in large flocks in marshes and on farmland.	**Potential.** Not observed. Uncommon permanent resident. One occurrence in 1998 on Camp Roberts in Sycamore/willow riparian habitat in Salinas River-mouth of Hare Canyon. Potential forage habitat on Subject Property. Only a few small pool areas were located on the Site.
Aquila chrysaetos **Golden eagle**	-/-	Grasslands, deserts and open country far from human settlement.	**Potential.** Not observed. Uncommon permanent resident. One occurrence in 2006. Nest site along Huerhuero Creek in Paso Robles between Golden Hill and Airport Roads. Potential forage and nesting habitat on Subject Property.
Ardea herodias **Great blue heron**	-/-	Open habitat, streams, ponds, meadows and upland fields.	**Potential.** Not observed. Common permanent resident. CNDDB 2005 report for Camp Roberts-13 nests and 18 adults along Salinas River. Potential forage and nesting habitat on Subject Property.
Asio otus **Long-eared owl**	-/CSC	Desert oases, riparian thickets, and coniferous forests.	**Potential.** Not observed. Resident that is rarely observed. No occurrences in the CNDDB. Potential roosting and foraging habitat exists on the Subject Property.
Athene cunicularia **Burrowing owl**	FSC/CSC	Open grasslands, especially prairie, plains, and savanna, sometimes in vacant lots near human habitation or airports, nesting and roosting in burrow dug by mammal.	**Potential.** Not observed. Last CNDDB sighting 2004; San Miguel 0.1 mile north of the perimeter road, between Perimeter Road and Bee Rock Road, Camp Roberts. Potential forage and nesting habitat exists on the Subject Property in the upland areas in agricultural fields and non-native annual grasslands.
Buteo regalis **Ferruginous hawk**	-/CSC	Arid grasslands and treeless areas. Breeds in open country, including prairie grassland and shrubsteppe.	**Potential.** Not observed. Uncommon winter visitor. CNDDB did not have any occurrences for this species. Potential foraging habitat on Subject Property.
Circus cyaneus **Northern harrier**	-/CSC	Inhabits grasslands, coastal ponds/sloughs, coastal marshes, coastal wetlands, salt marshes and sagebrush areas.	**Potential.** Not observed. Common winter resident. CNDDB did not have any occurrences for this species. Potential foraging habitat on Subject Property.
Dendroica petechia brewsteri **Yellow warbler**	-/CSC	Common in wet brushy habitat-riparian and woodland habitat.	**Potential. Observed in southern section of Site on April 13 & 27, 2007.** One occurrence in 1977 near the Bradley Bridge on the Salinas River. Potential patches of nesting habitat exist on the Subject Property in the area of the riparian woodland.
Empidonax traillii **Willow flycatcher**	-/SE	Riparian habitat, often near water.	**Potential.** Not observed. Uncommon migrant to San Luis Obispo County. No occurrences in the CNDDB. May occur periodically

			as a migrant (Forde, 2007). Small patches of suitable nesting habitat-site lacks water, most years, during nesting period.
Eremophila alpestris actia **California horned lark**	-/CSC	Common in expansive open areas with barren or only sparsely vegetated ground such as beaches, plowed fields, and edges of airport runways.	**Potential.** Not observed. Common permanent resident. Two occurrences in 1999 on Camp Roberts-associated with grasslands. Potential foraging habitat exists on the eastern terrace of the Subject Property.
Falco mexicanus **Prairie falcon**	-/CSC	Deserts, grasslands and agricultural lands.	**Potential.** Not observed. Uncommon permanent resident. Five occurrences: 1974 and 1981-Bradley quad-location suppressed. Potential foraging habitat exists on the eastern terrace of the Site.
Haliaeetus leucocephalus **Bald eagle**	FT/SE	Usually seen near lakes, rivers, and coasts where prey is abundant and prominent trees afford nest sites.	**Unlikely.** Not observed. Uncommon permanent resident. One occurrence in 2006 on Camp Roberts. Nest site in sycamore woodland along the Nacimiento River. Nesting habitat does not exist on Subject Property. Foraging may exist during years with high water.
Icteria virens **Yellow-breasted chat**	-/CSC	Inhabits dense thickets, brush, or scrub, especially along swamp margins and streams.	**Potential.** Not observed. Uncommon summer migrant. No occurrences in the CNDDB. Same as yellow warbler and least Bell's vireo- Potential patches of nesting habitat exist on the Subject Property in the area of the riparian woodland.
Pica nuttalli **Yellow-billed magpie**	-/-	Common permanent resident. Inhabits grasslands, fields and agricultural areas; open oak woodlands.	**Potential.** Not observed. Common permanent resident. No occurrences in the CNDDB. Potential foraging habitat exists on the eastern terrace of the Subject Property.
Vireo bellii pusillus **Least Bell's vireo**	FE/SE	Rare migrant in riparian habitats. Requires dense cover within 1-2 m of the ground for nesting and dense, stratified canopy for foraging.	**Potential.** Not observed. Individual records for San Luis Obispo County. Two occurrences: 1983 and 1985-Salinas River up and downstream of Bradley Bridge. Unlikely that species would occur; site outside species current known range (Forde, 2007).
INVERTEBRATES	**Status Fed/State**	**Habitat Association**	**Potential to Occur on Subject Property**
Branchinecta lynchi **Vernal pool fairy shrimp**	FT/-	Grasslands of the Central Valley and Coastal Mtns. in bedrock or earthen depressions with no current	**Unlikely.** Not observed. 20 occurrences (1995-2004): 17 documented at Camp Roberts. Three other records are associated with vernal pools or temporary pools. No vernal pools or suitable habitat on the Subject Property.
Polyphylla nubile **Atascadero june beetle**	-/-	Old Sand Dunes in Atascadero and San Luis Obispo.	**Unlikely.** Not observed. One record: 1956 in Paso Robles. No suitable habitat on Subject Property.
Trimerotropis occulens **Lompoc grasshopper**	-/-	No ecological information was available regarding this species. *Trimerotropis sp.* feed on herbaceous plants on range and arid land.	**Unlikely.** Not observed. One observation from the Paso Robles area in 1909. Known only from Santa Barbara and San Luis Obispo County. Potential foraging habitat on Subject Property.

MAMMALS	Status Fed/State	Habitat Association	Potential to Occur on Subject Property
Antrozous pallidus **Pallid bat**	-/CSC	True desert areas, moister oak woodlands and redwood forests of coastal regions. At lower elevations-highly assoc. with oak woodlands and oak savannah.	**Potential.** Not observed. Two occurrences: one observation in 1995 on Camp Roberts and one in 2001 along River Road bridge, crossing the Salinas River, east of San Miguel. Suitable roosting habitat along the southern boundary of the Project Site at the River Road bridge.
Lasiurus cinereus **Hoary bat**	-/CSC	Highly associated with cottonwood riparian habitat and forested areas. Roosts in foliage of coniferous and deciduous trees.	**Potential.** Not observed. One occurrence in 1940 from Nacimiento Ranch. Potential roosting and foraging habitat exists on Subject Property.
Myotis ciliolabrum melanorhinus **Small-footed myotis**	FSC/-	Prefers open stands in forests, woodlands and brushy habitats. Roosts in caves, buildings, mines and crevices.	**Potential.** Not observed. No CNDDB occurrences. Potential roosting and foraging habitat exists on Subject Property.
Myotis evotis **Long-eared myotis**	FSC/-	Roosts in buildings, rock crevices, under bark and in snags and may use caves as night roosts.	**Potential.** Not observed. No CNDDB occurrences. Potential foraging habitat exists on Subject Property.
Myotis yumanensis saturatus **Yuma myotis**	FSC/-	Crevice dwelling species. Associated with anthropogenic structures; barns and bridges. Also roost in caves, mines, abandoned swallow nests and under flaking bark of large snags.	**Potential.** Not observed. No CNDDB occurrences. This species is highly associated with water, therefore potential for this species to exist on the Subject Property is low.
Neotoma macrotis luciana **Monterey dusky-footed woodrat**	-/CSC	Dense chaparral, coastal sage-scrub, pinyon-juniiper, oak and riparian woodlands, and mixed conifer forest habitats with well-developed understory.	**Potential. Nests observed on the Subject Property along the Salinas River riparian corridor.** Three occurrences: 1997, 1999 and 2000 all on Camp Roberts associated with chaparral and oak woodland habitat. Potential habitat exists on Subject Property.
Perognathus inornatus inornatus **San Joaquin pocket mouse**	-/-	Grasslands and Oak Savannahs. Needs friable soils to burrow.	**Potential.** Not observed. One observation in 1918 – two miles south of San Miguel. Potential habitat on the Subject Property-eastern terrace (operations area).
Perognathus inornatus psammophilus **Salinas pocket mouse**	-/CSC	Grasslands and desert shrub communities. Needs fine-textured, sandy soils; friable soils to burrow.	**Potential.** Not observed. Six occurrences: all observations in 1993 and 1995 on Camp Roberts; associated with grassland, blue oak woodland, coastal scrub and chaparral habitat. Potential habitat on the Subject Property-eastern terrace (operations area).
Taxidea taxus **American badger**	-/CSC	Open grassland, chaparral, and oak woodland with friable soils. Needs sufficient food and open, uncultivated ground	**Potential.** Not observed. 28 occurrences: all on Camp Roberts. Potential habitat on Subject Property. No burrows or sign identified.
Vulpes macrotis mutica **San Joaquin kit fox**	FE/ST	Annual grassland or grassy open stages with scattered shrubby vegetation.	**Potential use as movement corridor (Moonjian, 2007).** No burrows or sign identified. 38 occurrences as reported in CNDDB. Potential denning and foraging habitat on Subject Property in area of eastern terrace.

REPTILES	Status Fed/State	Habitat Association	Potential to Occur on Subject Property
Actinemys marmorata pallida **Southwestern pond turtle**	-/CSC	Ponds and small lakes with abundant vegetation.	**Potential.** Nine occurrences: One occurrence on Camp Roberts in San Miguel Quadrangle. Potential habitat exists on Subject Property when water is present.
Phrynosoma coronatum frontale **Coast horned lizard**	-/CSC	This species inhabits open areas of sandy soil and low vegetation.	**Potential.** Not observed. Not listed on CNDDB in quad. Search. Potential habitat exists on the Subject Property in area of secondary channel (sandbars) and upland terraces.
AMPHIBIANS	**Status Fed/State**	**Habitat Association**	**Potential to Occur on Subject Property**
Bufo californicus **Arroyo toad**	FE/CSC	Loose gravelly areas of streams and arroyos in drier portion of range; often on sandy banks of quiet water.	**Potential.** Not observed. No CNDDB occurrences. Potential habitat during non-drought years (Hancock and Woodbury, 2007).
Rana aurora draytonii **California red-legged frog**	FT/CSC	Wetlands and ponds with emergent vegetation. Deep holes in wetlands and ponds are needed for predator escape, which also discourages aquatic plants; shallow water for tadpole development.	**Potential.** Not observed. No CNDDB occurrences. Potential habitat, primarily as a movement corridor, exists on the Subject Property.
Scaphiopus hammondii **Western spadefoot**	-/CSC	Prefers shortgrass plains and sandy, gravelly areas such as alkali flats, washes, and river floodplains.	**Potential.** Not observed. 28 occurrences: most on Camp Roberts associated with vernal pools and artificial wetlands; other occurrences associated with reservoirs. Potential foraging and dispersal habitat exists on the Subject Property in the area of the eastern terrace.
Taricha torosa torosa **Coast Range newt**	-/CSC	Coastal drainages from Mendocino County to San Diego County. Cool waters in quiet streams, ponds, and lakes.	**Potential.** Not observed. No CNDDB occurrences. Potential habitat exists on the Subject Property during non-drought years.
FISH	**Status Fed/State**	**Habitat Association**	**Potential to Occur on Subject Property**
Oncorhynchus mykiss irideus South/Central California coast **ESU steelhead trout**	FT/-/-	**Gravel bedded rivers and streams with shaded deep pools and perennial water available.**	**Potential.** Known to occur in the Salinas River watershed. Utilizes the Salinas River as a movement corridor to tributary creeks with spawning habitat.

***Sources:** CNDDB (2005); CNPS (2001); Hickman (1993)

***Federal Status (determined by U.S. Fish and Wildlife Service):**

E Endangered. In danger of extinction throughout all or a significant portion of its range.

T Threatened. Likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

FSC Federal Species of Concern, formerly List 2 Candidate Species (designation in not used by CNPS or CDFG). Species of Concern is an informal term used by some but not all U.S. Fish & Wildlife Service offices. Species of Concern receive no legal protection and the use of the term does not necessarily mean that the species will eventually be proposed for listing as a threatened or endangered species (USFWS, 2002).

***MNBMC** Migratory Nongame Birds of Management Concern

***State Status (determined by California Department of Fish and Game):**

E Endangered

T Threatened

CSC California Species of Special Concern

FP Fully Protected

***California Native Plant Society List (CNPS) List:**

1B	Plants considered rare or endangered in California and elsewhere.
2	Plants considered rare or endangered in California but more common elsewhere.
3	Plants for which more information is needed.
4	Plants of limited distribution-a watch list.

According to the September 27, 2007 Revised Biological Assessment, the following is a list of sensitive plant communities and habitat types with the potential to occur on the subject property according to database and literature research:

Riparian Woodland (Fremont Cottonwood – Red Willow Series). Riparian communities border most streams, lakes and springs in California. In general, deciduous trees and a variety of aquatic and semi-aquatic shrubs and herbs dominate these communities. Many riparian plants are only found along the banks and flood plains of waterways because they are dependent upon permanent water supply, either above or below ground. The cottonwood-willow series typically provides important habitat for a variety of wildlife species and provides protection for wildlife to migrate continuously from one area to another.

River Wash Vegetation. This plant community is seral (an intermediate stage found in ecological succession in an ecosystem advancing towards its climax community), often temporary, vegetation type that colonizes the dry, sandy channels after stream flow recedes. Stream-flow in the Salinas River channel is not uniform and may not occur at all in some side channels during dry years. Channels with rapidly flowing water carry sediments of varying sizes that are deposited when the water recedes, allowing for plants to become established on newly exposed, denuded channels of the braided river plain. Cottonwoods and willows may also colonize these sediments, and if they become established, they start the development of islands of riparian woodland between river channels.

Anthropogenic Community. Anthropogenic vegetation is associated with human disturbance that has modified the native vegetation and habitats to the extent that invasive weedy species begin to dominate the area. There are many different human disturbances that can cause this to take place. As described in the included Botanical Report, Anthropogenic Communities are classified under four broad categories: arval (associations of cultivated lands such as row crops; pastoral associations where plants are grazed heavily by livestock; ruderal associations along roadsides and disturbed, fallow lands; and castral or urban associations where horticultural plants often grow together with some plants considered rudurals or “weeds”.

Freshwater Marshes. Freshwater marshes usually occur in nutrient-rich mineral soils that are saturated through most or all the year by water. These wetland communities are best developed in locations along river channels that have slow moving or standing, shallow water that form small ponds. These ponds, which form in riparian woodlands, often have well developed freshwater marsh vegetation along their margins.

Vernal Pools. Vernal pools are unique wetland ecosystems ranging in size from one square foot to one hectare. Vernal pools fill with water temporarily in the winter and spring and remain dry in the summer season. The existence of vernal pool habitat is dependent on climate, soil and topography. The subject property is located in the Carrizo Vernal Pool Region, which occurs almost entirely within San Luis Obispo County. This region includes the large dry interior basin of the Carrizo Plain and stretches northward along the San Andres fault zone to the vicinity of Cholame near the Monterey County boundary.

While there are stands of *Quercus lobata* (Valley oak) and Quercus douglasii (Blue oak) on the terrace near the river and patches of ruderal vegetation along roadsides and on margins of agricultural fields, most native vegetation on the site is restricted to the Salinas River floodplain. The floodplain is composed of a complex of braided river channels, vegetated islands, and riverbanks. The vegetation of the river and of Vineyard Creek is highly influenced by flowing and standing water and the depth of the water table. The riverbanks, floodplain, and channels are vegetated by a mosaic of riparian woodland and river wash vegetation. The structure and composition of the vegetation varies with the amount and nature of the water flow, the seasonality of the water, the length of time standing water is present, the distance to the water table, the lateral extent of the floodplain, and the distance from the river channels and banks.

The riparian woodland areas along Vineyard Creek are similar to those along the Salinas but not nearly as dense and well developed. The Red willows and Fremont cottonwoods are more scattered forming open woodland. Much of the creek’s banks are highly disturbed and do not have any trees at all, especially the section that traverses the agricultural field. In these areas, the vegetation along the

creek banks consists of the weedy herbaceous vegetation similar to that found in the anthropogenic communities along roadsides. Several shrubs are also common along the creek banks in these areas, as described below.

Overall, the environment in riparian woodlands is more mesic (moderate or well-balanced supply of moisture) than in adjacent open areas. As a result, the understory in riparian woodlands is quite variable. Understory vegetation usually consists of various mixtures of shrubs and herbs. Sometimes the shrubs form dense thickets, and sometimes they are scattered or absent entirely. Numerous herbaceous plants also occur in riparian woodlands. Like the shrubs, they may form a dense, lush understory, and sometimes they are sparse or absent. Species composition varies from place to place and is significantly different in the upper floodplain compared to the lower floodplain. In the lower floodplain, where water is present each year, the most common riparian understory plants are those that require greater soil moisture that persists for most of the year.

On the study site, anthropogenic communities occur along the roadsides, ORV trails, the margins of agricultural fields, the upland areas along Vineyard Creek, and the pasture areas near the ranch headquarters. The dominant plants in these disturbed areas are invasive grasses and forbs that are adapted to a variety of disturbed habitat conditions. Some of these weedy plants are part of the invasive, opportunistic flora of the exposed river channel sediments and of the riparian woodland understory in some areas.

Freshwater marshes are common along the Salinas River, especially in areas of standing water in the primary channels; however, no marshes occur in or near the proposed project site. Surveys did find a few small depressions along the channels in which small patches of aquatic and semi-aquatic plants became established, but these are not common and are very small.

Vernal pool habitat is unlikely to be present on the Subject Property due to the soil types present on site. All soils found on the Subject Property range from well drained to excessively well drained (Table 1, NRCS 1999). The Subject Property is located in the Carrizo Vernal Pool Region, however during site visits no vernal pool habitat was identified. No vernal pools or species associated with vernal pools, such as Jarred's Pepper grass (*Lepidium jaredii*) or vernal pool fairy shrimp (*Branchinecta lynchi*) were identified within the Subject Property boundaries.

The following discussion is based on the results of the report titled "Revised Biological Assessment", prepared by Stephanie Seay of Seay Biological Consulting (September 27, 2007) and represents a culmination of all prior biological studies that were prepared for the proposed project and includes responses to the initial questions and concerns raised by the reviewing agencies.

Impact. In order to determine the nature of the possible impacts that could result from project implementation, a series of surveys were conducted to determine the on-site presence and extent of the sensitive status biological resources identified as possibly occurring on the subject property, as discussed above.

As summarized in the Revised Biological Assessment prepared by Seay Biological Consulting (September 27, 2007), the subject site was surveyed on several occasions, including a site visit made by Cletis England and Kelly Gillogly on June 23, 2005. During this visit, the location and extent of plant communities and the potential for the occurrence of sensitive plant and wildlife species was assessed. Cletis England visited the site again on July 21 and August 1, 2005, with Mike McGovern joining him on the former date. Stephanie Seay's initial site visit occurred on February 14, 2006 to review the project and conduct a site visit for the Biological Assessment. A second visit by Ms. Seay occurred on May 25, 2007 for the Revised Biological Assessment and to assess the revised project description. Jennifer Moonjian completed a Burrowing Owl Survey and Phase 1 and 11 Habitat Assessment and Burrow Survey on May 18 and 28, 2007. Jennifer Moonjian completed a San

Joaquin Kit Fox Early Evaluation on May 18 and 28, 2007. Eight nesting bird surveys were conducted from April 13 – July 27, 2007 by Jackie Hancock and Darlene Woodbury following the least Bell's vireo protocol survey guidelines. Jackie Hancock and Darlene Woodbury completed an Arroyo toad presence/absence survey on April 12, 2007. Andrew Forde completed Willow Flycatcher Protocol Surveys and concurrent surveys for least Bell's vireo the week of June 18 and July 7, 2007. Botanical Surveys were completed April thru June 2007 by V.L. Holland, Ph.D.

During the site visits for this Revised Biological Assessment, the proposed project area and vicinity were surveyed using walking transects spaced 50 feet apart. The eastern terrace where the proposed stockpile areas will be located, potential ingress / egress points to the riverbed; the proposed extraction areas and the proposed access road areas were surveyed. The walking transects were completed to document all sightings of birds and mammals and any scat, tracks or burrows of mammals. Also, plant communities, soil types, topography, seasonal aquatic habitat, and current site conditions were observed and evaluated to determine the potential for rare and sensitive plant and animal species to occur on the site. Walking transects were conducted on the Site at intervals of approximately 50 feet apart depending on the density of vegetation and overall visibility of the surrounding area. The entire Site including the main channel was surveyed by this method. Some areas east of the main channel were more difficult to survey, however as much of the habitat was surveyed except for those areas where the vegetation was so dense that it precluded access. All linear transects were 50 feet apart and walked in a zigzag motion covering a width of approximately 40 feet each.

Six plant species were determined to have the potential to occur on the Subject Property based on the proximity to known sightings and the floral habitat characteristics of the Subject Property. Potential is based on date of last documented identification and probability that the habitat in which the species is associated with occurs on the subject property. These include: Big tarplant (*Blepharizonia plumosa*), Dwarf calycadenia *(C. villosa),* Obispo Indian Paintbrush (*Castillega densiflora obispoensis*), Lemmon's jewelflower (*Caulanthus coulteri var. lemmonii*), Abbott's bush mallow (*Malacothamnus abbottii*) and Davidson's bush mallow (*M. davidsonii*). However, none of these plants were actually observed on the project site during any of the surveys or site visits. The remainder of the plant species listed in the database and literature search was determined to have a low potential to exist on the subject property or in the area due to habitat requirements or locality of species.

Although no sensitive plant species were observed on the project site, areas of the proposed project site with the potential to impact a sensitive floral species that could occur on-site are the riverbed ingress / egress points and the sandbar extraction areas within the Salinas River and Vineyard Creek riverbed. Four of the six species with potential to exist on the subject property, except Abbott's bush mallow and Davidson's bush mallow, inhabit valley grassland habitat and could potentially inhabit the riverbed ingress / egress points at the edge of the farmed river terrace. Only two of the six species, Abbott's bush mallow (*Malacothamnus abbottii*) and Davidson's bush mallow (*M. davidsonii*) have the potential to occur on the subject property within the riparian areas and could potentially exist on the sandbar included in the proposed extraction area.

As a result of the database and literature search, and confirmed by the sensitive status wildlife surveys required by the County, Department of Fish and Game, and the U.S. Fish and Wildlife Service, 32 wildlife species (including birds, mammals, invertebrates, reptiles, amphibians, and fish) listed in the CNDDB and reviews requested by applicable agencies were determined to have a potential to occur on the subject property based on proximity to known sightings and potential habitat. These include: Southwestern pond turtle (*Actinemys marmorata pallida*), tricolored blackbird (*Agelaius tricolor*), pallid bat (*Antrozous pallidus*), golden eagle (*Aquila chrysaetos*), great blue heron (*Ardea herodias*), burrowing owl (*Athene cunicularia*), yellow warbler (*Dendroica petechia*), California horned lark (*Eremophila alpestris*), prairie falcon (*Falco mexicanus*), hoary bat (*Lasiurus cinereus*), Monterey dusky-footed woodrat (*Neotoma macrotis*), San Joaquin pocket mouse (*Perognathus inornatus*

inornatus), Salinas pocket mouse (*Perognathus inornatus*), American badger (*Taxidea taxus*), San Joaquin kit fox (*Vulpes macrotis mutica*), Western spadefoot (*Scaphiopus hammondii*), least Bell's vireo (*Vireo bellii pusillus*), Cooper's hawk (*Accipiter cooperii*), long-eared owl (*Asio otus*), ferruginous hawk *(Buteo regalis*), Northern harrier *(Circus cyaneus)*, yellow-breasted chat (*Icteria virens*), Small-footed myotis (Myotis ciliolabrum melanorhinus), Long-eared myotis (*Myotis evotis*), Yuma myotis (*Myotis yumanensis saturatus*), Coast horned lizard (*Phrynosoma coronatum frontale),* yellow-billed magpie (*Pica nuttalli*) and Coast range newt (*Taricha torosa torosa*). The willow flycatcher (*Empidonax traillii*), arroyo toad (*Bufo californicus*), South/Central California Coast ESU steelhead trout (*Oncorhynchus mykiss irideus*), and California red-legged frog (*Rana aurora draytonii*) were added at the request of the County.

The remaining four species that were listed in CNDDB as occurring on one of the nine quadrangles were not considered to have the potential to utilize the subject property following the site visits. Vernal pools were not found during site visits nor were they listed in the CNDDB to occur in any nearby quadrangles, therefore species associated with this habitat type were not considered to occur within the subject property, such as the vernal pool fairy shrimp (*Branchinecta lynchi)*. The Lompoc grasshopper (*Trimerotropis occulens*) and the Atascadero June beetle (*Polyphylla nubile*) are not listed as threatened or endangered with state or federal governments, but are a special species of concern with the CDFG. The bald eagle (*Haliaeetus leucocephalus*) would be an unlikely visitor to the subject property due to habitat requirements (i.e. prominent trees to afford unobstructed views of surrounding habitat). The Salinas River corridor is fairly narrow along the main channel. The arroyo toad, least Bell's vireo, willow flycatcher, burrowing owl, San Joaquin kit fox and the California red-legged frog were scrutinized more closely and were surveyed for independently. During the least Bell's vireo surveys, other avian species were targeted and included the following: brown-headed cowbird, yellow warbler, yellow-breasted chat, northern harrier, yellow-billed cuckoo and the willow flycatcher. The yellow warbler and brown-headed cowbird were observed on the subject property during these focused surveys.

As discussed above, the project site is located within an area identified as important habitat for the kit fox. The County's Kit Fox Habitat Map indicates that this site is within an area with a standard mitigation ratio of 4:1. However, because the subject property is greater than 40 acres in size, the applicant was required to hire a qualified biologist to provide a kit fox evaluation for the site. In order to determine potential impacts to the species, Mr. Mike McGovern completed a San Joaquin kit fox evaluation on October 3, 2005 In addition; Ms. Jennifer Moonjian completed a San Joaquin Kit Fox Early Evaluation Report on May 18 and 28, 2007. San Joaquin kit foxes have not been documented on the Subject Property, and the nearest, most recent documented occurrence recorded was approximately 1.1 miles away 7 years ago. Based on the results of the San Joaquin kit fox evaluation, it was determined by the Department of Fish and Game that a mitigation ratio of 3:1 was appropriate. As proposed, the project would affect approximately 42.63-acres of potential San Joaquin kit fox habitat that has the potential to be used primarily as a movement corridor.

Although no sensitive status plant or wildlife species were identified during any of the surveys or site visits conducted in conjunction with the Revised Biological Assessment, several plant and wildlife species highlighted in the database and literature research were determined to have a likely potential to be found on the subject property either because of favorable site conditions or proximity to known occurrences or a combination thereof. Additionally, Monterey dusky-footed woodrat nests were observed along the Salinas River corridor. Implementation of the proposed project would result in intermittent disturbance within the river channels and disturbance associated with the sorting and stockpiling of mined materials, a portable office and access roads. As such, the proposed project has the potential to result in significant impacts to special status plant and wildlife species, unless mitigated.

Mitigation/Conclusion. Applicant proposed mitigation measures for the revised project include avoidance, revegetation and restoration. Project development would result in the direct loss and / or fragmentation of vegetation and habitats found on the project site, as well as indirectly impacting habitats surrounding the proposed project. Because several special status plant and wildlife species have been identified as having the potential be found on the subject property, several boundaries and setbacks have been included in the revised project design as measures to minimize or avoid sensitive resources on-site. These measures are included in the Revised Project Statement / Supplement (Attachment 1).

The EIR shall include a peer review of biological resource information prepared to date and the Area-Wide Adaptive Management Plan; and provide any additional recommended measures related to potential impact of the proposed project on existing plant and animal species, as well as on habitats and movement corridors. Consultation with applicable resource agencies (i.e. Department of Fish and Game, NOAA, U.S. Fish and Wildlife Service) shall be conducted as part of the biological resources evaluation.

5. CULTURAL RESOURCES - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Disturb pre-historic resources?	☐	☐	☒	☐
b) Disturb historic resources?	☐	☐	☒	☐
c) Disturb paleontological resources?	☐	☐	☒	☐
d) Other:_____	☐	☐	☐	☐

Setting. The project is located in an area historically occupied by the Obispeno Chumash and Salinan. No historic structures are present and no paleontological resources are known to exist in the area.

The project site is located north of San Miguel and west of the Chalome Hills. These three drainages that enter the Salinas River, flowing southwest from the Chalome Hills frame the project area. Mahoney Canyon to the south, Vineyard Canyon in the center, Indian Valley and Big Sandy Creek at the north of the project area.

The project site overlays two geologic units that include Quaternary old alluvium, the Paso Robles Formation, Monterey, and Santa Margarita Formations. In San Luis Obispo County, with the exception of younger alluvium, the older alluvium formation have produced the remains of ice age mammals including ground sloth, bison, horse, camel, and mammoth. The Paso Robles Formation has yielded a wide variety of terrestrial mollusks, crustaceans, giant tortoise, elephant, and mastodon, as well as a fossil walrus. These sediments contain significant, non-renewable, paleontological resources and are considered to have high paleontological significance.

Impact. The project is located in an area that is considered culturally sensitive due to presence of physical features typically associated with prehistoric occupation (i.e., permanent water source). A Phase I (surface) survey was conducted (Singer; May 7, 2006). The result of the Phase I survey indicated that there was no evidence of cultural materials on the property within the project activity areas. Two sites were discovered on the 1,167-acre property but will not be impacted by project activities due to the locations of the identified sites. Impacts to historical or paleontological resources are not expected.

Subsurface paleontological resources are not anticipated to be encountered during trenching activities and ongoing sorting and processing operations associated with the proposed project. Material will be excavated from the channel of the Salinas River and Vineyard creek and stockpiled in the river terrace. Due to the nature of the material being excavated (river wash / alluvium), impacts to paleontological resources are not anticipated.

Mitigation/Conclusion. No significant cultural or paleontological resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS - *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	☒	☐
b) Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?	☐	☐	☒	☐
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	☒	☐	☐	☐
d) Change rates of soil absorption, or amount or direction of surface runoff?	☒	☐	☐	☐
e) Include structures located on expansive soils?	☐	☐	☒	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☒	☐	☐	☐
g) Involve activities within the 100-year flood zone?	☒	☐	☐	☐
h) ***Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?***	☐	☐	☒	☐
i) Preclude the future extraction of valuable mineral resources?	☐	☐	☐	☒
j) Other:_____	☐	☐	☐	☐

Setting. GEOLOGY - The topography of the project is nearly level to very steeply sloping (outside

of the proposed mining and sorting / stockpile areas). The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low to moderate. The liquefaction potential during a ground-shaking event is considered low to moderate. Active faulting is known to exist approx. 7 miles southwest of the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

The subject property is within the Salinas River Valley, which consists of uplifted sea floor sediments that have been compressed and consolidated to form materials such as sandstone and shale. As these materials have weathered, they have created a variety of hills and valleys with varied slopes. The geologic formations in the region are comprised of Quaternary deposits, the Paso Robles, Monterey, and Santa Margarita Formations. The Paso Robles Formation, which ranges from 2-5 million years old, is distributed along either side of the Salinas River Valley including Vineyard Canyon. Although some diatomite, gold, gypsum, and other rock products have been extracted in the general area, limited development of mineral resource extraction has been undertaken in this region.

The watershed for the Salinas River is extensive (approximately 1,245 square miles). Within the Salinas River watershed is the Vineyard Creek watershed which includes approximately 48.5 square miles. The Salinas River transports tremendous amounts of sediment, accumulated from the numerous sources within the watershed area. Sediment sources for the proposed project include the upper reaches of the Salinas River watershed area, the Estrella River, and to a lesser degree, Vineyard Creek.

Currently, sediment loads within the Vineyard Creek channel have significantly restricted water flows. Much of the flow within the channel is sub-surface and therefore does not transport load that would otherwise be supported by surface flows. Historic aerial photographs of the creek channel indicate that the orientation of the lower reach of the creek has shifted slightly since the construction of Indian Valley Road Bridge. Channelization and straightening of the lower portion of Vineyard Creek (from the bridge to the Salinas River) appears to have been completed between 1987 and 1994 based on review of aerial photographs.

Any project within the Geologic Study Area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) Section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use. Although this project is not within a Geologic Study Area, all applications for surface mines require preparation of a geologic evaluation for the purpose of determining geomorphic effects on the river system. A geological report was conducted for the previous project (Bartow, 2006; and Bartow, 2007) and a subsequent Area-Wide Adaptive Management Plan (Smeltzer, 2009) has been prepared for the revised project. The Area-Wide Adaptive Management Plan is the basis for the revised project which includes reduced mining quantities (maximum 105,500 cubic yards / year), revised exaction areas, and revised exaction depths on Vineyard Creek.

DRAINAGE – The areas proposed for mining activities are within the 100-year Flood Hazard designation. The closest creeks (Salinas River, Mahoney Creek, Vineyard Creek, Indian Valley and Big Sandy Creek) from the proposed development are on or near the subject properties. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered very poorly to well drained dependent on specific locations within the greater project site.

SEDIMENTATION AND EROSION – The soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the soil surface is considered to have low to high erodibility and low to moderate shrink-swell characteristics dependent on specific locations within the greater project site. When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts.

When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. The proposed project will include in the intermittent disturbance of an approximately 46-acre extraction area. A majority of this area can be divided into a "northern" and "southern" extraction area along the Salinas River. The Salinas River portion of the operation will span approximately 7,000 feet. Additional extraction activities will occur within Vineyard Creek (east and west of the Vineyard Creek Bridge). The Vineyard Creek operation will include an extraction area of approximately 3.6-acres and span approximately 2,500 feet of the creek channel.

It is a well established fact that quality aggregate is vitally important for the economy of almost all global regions. Despite its economic importance, reasoned diligence must be practiced when reviewing new in-stream or floodplain mining permits or while managing existing mining operations. This is a present day management necessity because the mining of aggregate has caused damage across the globe to river form and process, private property, and public infrastructure (Sandecki 1989; Collins and Dunne 1990; Kondolf 1997; Kondolf, 1998). As a result, operation and permitting of an in-stream mining operation calls for addressing several key questions:

a. Is the amount of material large relative to annual supply?
b. Has the mining plan identified a manner of removing sediment which is reasonable and developed to minimize potential impacts to surrounding resources?
c. Are there public safety, public facilities, or habitat concerns, and if so, how can these be minimized?

Perhaps the most important technical consideration of in-stream and floodplain mining is:

a. An assessment of how to manage in-stream and floodplain sand and gravel extraction to minimize disruption to the continuity of sediment transport through the river system (Kondolf, 1997), and
b. How this disruption may potentially affect river form, process and the habitats found there.

NOAA Fisheries (2004) recommends holding extraction rates to no more than 50% of the replenishment rate.

Mitigation/Conclusion. Applicant proposed mitigation measures for the revised project are included in Attachment 1. The potential impacts identified in the Area-Wide Adaptive Management Plan and discussed above shall be analyzed as part of the EIR. This shall include but not limited to a peer review of potential cumulative impacts of mining within the Salinas River system, drainage, and erosion and sedimentation. Consultation with applicable resource agencies (i.e. Department of Fish and Game, NOAA, U.S. Fish and Wildlife Service, Regional Water Quality Control Board) shall be conducted as part of the geologic resources evaluation. Any additional mitigation measures necessary to reduce potentially significant impacts identified in the peer review shall be included.

7. HAZARDS & HAZARDOUS MATERIALS - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	☐	☒	☐	☐
b) Interfere with an emergency response or evacuation plan?	☐	☐	☒	☐
c) Expose people to safety risk associated with airport flight pattern?	☐	☐	☒	☐
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	☐	☐	☒	☐
e) Create any other health hazard or potential hazard?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☐

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire (15-20 response time). The project is not within the Airport Review area.

Impact. Potential sources of pollution at the project site include sediment in runoff, discharge of fluids such as wash water, and leaks or spills of toxic materials such as petroleum products. However, as discussed in Section 6 (Geology and Soils) above, under the federal Clean Water Act as amended in 1987, the project will be required to have a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is intended to facilitate the identification of pollution sources that could affect the quality of water discharged from the facility and to document the best management practices that an operation is committed to implement to minimize the pollutants that may be discharged. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan. However, because of the risk of equipment leaks and spills, impacts are considered significant unless mitigated.

Mitigation/Conclusion. In addition to the implementation of the required SWPPP, the applicant proposed measures (included in Attachment 1 and shown below) will be implemented to reduce impacts to less than significant levels:

- To reduce impacts from spillage of petroleum products, the operators shall inspect roads, equipment and trucks daily for leakage and take immediate corrective action to eliminate any discovered leakage.
- A log of facility, equipment and road inspections shall be kept at the site office and shall be available for inspection by County staff.
- On-site servicing and fueling of vehicles shall be accomplished with the use of the following best management practices:
    1. Servicing and fueling shall take place only in designated fueling areas outside of the Salinas River and Vineyard Creek channels.

2. When fueling, tanks shall not be "topped off."
3. A secondary containment, such as a drain pan or drain cloth, shall be used when fueling to catch spills or leaks.
4. Employees and subcontractors shall be trained in proper fueling, servicing, and clean-up procedures.
5. All fluid spills shall be reported immediately to the facility log.
6. Storage of hazardous materials shall be as far as practical from the Salinas River and Vineyard Creek.
7. A contingency plan for possible leaks and spills of hazardous materials into the Salinas River and Vineyard Creek shall be developed and implemented.

The implementation of the above measures are anticipated to mitigate hazards and hazardous material impacts to less than significant levels. A discussion should be included in the applicable section of the EIR.

8. NOISE - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☒	☐	☐	☐
b) Generate increases in the ambient noise levels for adjoining areas?	☒	☐	☐	☐
c) Expose people to severe noise or vibration?	☒	☐	☐	☐
d) Other: _____	☐	☐	☐	☐

Setting. The project site is currently zoned Agricultural and is surrounded by similar agricultural lands and uses. The community of San Miguel is located adjacent to the project site (southwest). Noise levels are generally low and produced by automobiles, trains and the use of agricultural machinery. Highway 101 is a major continuous noise source in the area. The 1993 EIR for the Salina River Area Plan estimated the average noise levels generated from the highway would be 60dBA or more up to 1,400 feet from the highway by 2010. This was considered a significant, unavoidable noise impact. Sound level criteria is set forth in the County of San Luis Obispo Exterior Noise Level Standards Ordinance. In this case, the ordinance requires that on the sides of the property that adjoin potential sensitive receptors, no exterior stationary noise shall exceed an hourly equivalent sound level (Leq) of 50 dB during daytime hours (7:00am to 10:00pm). The maximum sound level at the property line during daytime hours shall not exceed 70 dB at any time.

The nearest residential uses (i.e. sensitive receptors) are located within the community of San Miguel approximately 1,100 to 1,200 feet to the southwest of the southern extraction area. The nearest residential use in proximity to the proposed sorting / stockpile areas is an on-site residence in ownership by the applicant (approximately 1,300 feet). The project site itself is not within close proximity of existing loud noise sources.

Impact. The proposed sand and gravel operation would include a scraper used for the initial extraction of sand and gravel from the river bed. Extracted material would be transported and deposited in the processing area on the river terrace, where a front end loader would load unsorted material onto a mechanical vibrating screen driven by a diesel engine. The screen sorts material by size, and screened material is stacked. No crushing or other material processing would occur at the

site. Trucks would enter the site, and the front end loader would load the trucks with material from the stockpiles. During the operational time of the year (dry season), the hours of operation would be from 7:00 am to 5:00 pm Monday through Friday and from 7:00 am to 12 pm on Saturday. No extraction, processing, or loading of trucks would occur prior to 7:00 am. All extraction and processing will cease by 4:30pm; however, equipment may remain running as late as 5:00pm.

The applicant has requested an allowance for work outside of the above referenced hours of operation as part of the revised project description. Truck trips associated with both typical and after hour deliveries have the potential to result in a substantial noise generation near sensitive receptors based on identified truck routes (see Section 12 – Transportation / Circulation).

There is one on-site residence located approximately 1,300 feet from one of the proposed sorting / stockpiling areas and the nearest residential use outside of the applicant ownership is located approximately 3,000 feet from the nearest sorting / stockpile area. Additionally, the nearest extraction area is located over 1,110 feet (within the river corridor) from the nearest residence outside of the ownership of the applicant.

Mitigation/Conclusion. When the project is actively processing material, the ambient noise level in the project vicinity will increase. To minimize noise impacts, the applicant / operator has provided numerous measures in the revised project description (see Attachment 1) including prohibition of the mining operations after 5 pm during the week and between the hours of 7 am and noon on Saturday. In addition, the operation will not include crushing on site, or from recycling any rock, concrete, or asphalt, which are activities often associated with mining projects and can produce substantial noise. Mufflers and engine covers will be required to be in good working order and in place during all mining operations.

Although the applicant has proposed measures to reduce potentially significant impacts related noise generation from the proposed project, there may still be significant impacts to sensitive receptors in the vicinity of the project site (due to project operations, potential for nighttime operations, and identified haul routes). The impacts of the proposed project upon ambient noise levels due to long-term operation of the project (20-years) shall be evaluated in the project EIR.

9. POPULATION/HOUSING - *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	☒	☐
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Create the need for substantial new housing in the area?	☐	☐	☒	☐
d) Use substantial amount of fuel or energy?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - *Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Fire protection?	☐	☐	☒	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Roads?	☐	☒	☐	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☐

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station #98 (Los Robles Camp) is approximately 13 miles to the southeast. The closest Sheriff substation is in Templeton, which is approximately 15 miles south of the proposed project. The project is located in the San Miguel Joint Union Elementary School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place. However, implementation of the proposed project would result in an anticipated increase in traffic (i.e., 34 truck trips per day at a "worst case", full operation activity level) along proposed hauling routes. As discussed in Section 12, Transportation / Circulation, the proposed project would include the hauling of material south along Indian Valley Road to River Road. Trucks will proceed west over the River Road Bridge to Mission Street. Trucks will then proceed north or south along Mission Street to the appropriate onramp for Highway 101 (or the alternative identified in the revised project statement – Attachment 1). Upon review by the Public Works Department, it was determined that this route and the anticipated traffic increase represented a safe hauling path and minimal increase in daily trips along the identified routes. However, impacts related to the wear on public roads from heavy truck trips are considered significant but mitigable. Please refer to Section 12, Traffic and Circulation, for additional discussion of traffic impacts.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will

reduce the cumulative impacts to less than significant levels. In addition, the applicant has proposed measures to ensure that both their trucks and those belonging to their customers follow the prescribed hauling route as described above.

11. RECREATION - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Increase the use or demand for parks or other recreation opportunities?	☐	☐	☒	☐
b) Affect the access to trails, parks or other recreation opportunities?	☐	☐	☒	☐
c) Other _____	☐	☐	☐	☐

Setting. The County Trails Plan shows that a potential future trail (Salinas River Trail Corridor) goes through the proposed project site. In this area of the Salinas River, the County has obtained approximately 54-acres of the Salinas River directly south of North River Road (APN 027-271-028, -029). This land was obtained as a Natural Area by the County. North of North River Road, the County has a staging area at the east end of 15th Street (APN 021-191-007). In addition, the County has obtained open space and trail access easements as part of various, new subdivisions / development projects located along the western side of this portion of the river. In addition, the California Department of Fish and Game owns and operates Big Sandy – an area of the Salinas River protected because of its natural resources. Big Sandy is located within the Salinas River near the Monterey County line to the north of the project site.

The County's adopted Parks and Recreation Element (PRE) as well as the Ag and Open Space Element discuss the Salinas River. Per the PRE and the Ag and Open Space Element, the Salinas River is designated a proposed Natural Area. The intent of this designation is to provide passive recreation, resource protection, and environmental education along major portions of the river. The PRE also designates portions of the Salinas River as a trail corridor. The proposed trail corridor would extend from Santa Margarita Lake to the Monterey County Line.

The policies of the PRE and the Ag and Open Space Element would not preclude mining operations in the river; however, such operations should adequately protect river resources. In addition, mining operations should not interfere with existing pedestrian and equestrian trail easements and / or permanently block future pedestrian and equestrian trail easements along the Salinas River. Over the years, various portions of the Salinas River have been used by equestrians, pedestrians, off-road vehicles, and community members as a place of recreation. This use occurs year round.

Impact. The proposed project activities are not located in an area that would affect any trail, park or other recreational resource. Mining extraction will occur during the dry season when surface water is absent and groundwater levels are sufficiently low. Sorting / stockpile locations are proposed along the eastern terrace of the Salinas River and near existing agricultural development along Vineyard Creek.

The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. Problems associated with the Salinas River have included the unauthorized use of off-road vehicles. These vehicles impact the river's riparian areas as well as native wildlife. Because the expanse of the river is quite large, it has been difficult to stop off-road vehicle use within

the river. One problem is there are so many easy access points into and out of the river. As a result, in some cases these users seem to simply disappear. Due to the nature of the proposed project, County Parks has recommended that the proposed mining operation:

- maintain a sufficient distance from existing Natural Areas such that the resources of these Natural Areas are adequately protected (see bio resource mitigations); and
- maintain a sufficient distance from existing trail easements and / or likely future trail easements located near and / or along the river's west bank such that these corridors can be used during the life of the mining operation (the project does not include any improvements or permanent impacts to the identified area);

Based upon a review of Parks and Recreation Element policies and the proposed project components and activities, no significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Increase vehicle trips to local or areawide circulation system?	☐	☐	☒	☐
b) Reduce existing "Levels of Service" on public roadway(s)?	☐	☐	☒	☐
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☒	☐	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐
e) Result in inadequate parking capacity?	☐	☐	☒	☐
f) Result in inadequate internal traffic circulation?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☒	☐
i) Other: _____	☐	☐	☐	☐

Setting. The project is located off Indian Valley Road. Trucks coming to and from the project site will use Indian Valley Road, proceed west on River Road (over the bridge) to Mission St. Depending upon the destination of the material, the trucks may go either north or south on Mission St. to the appropriate onramp associated with Highway 101. An alternative to this route includes using Indian

Valley Road, and the proceeding west on River Road (over the bridge) to N Street, then west on 11th Street and south on Mission Road to Highway 101. This alternate route would then avoid the central business district of San Miguel (located on Mission St.). The proposed routes associated with this project are operating at acceptable levels of service. One school is located in the vicinity of the project truck route (1 block west of Mission St. and 16th).

Impact. According to the revised project description for the proposed project, the project would generate a maximum of 34 trips per day (Monday - Friday) and a maximum of 25 trips per day on Saturdays. The total maximum truck trips associated with material deliveries would be 203 trips per day. The previously prepared traffic report and corresponding trip information was reviewed by the Public Works Department (January 22, 2008) for consistency and to provide recommendations on impact significance and possible mitigation measures. Public Works Department staff concluded that the previously proposed truck trips (64 trips per day) and hauling routes would not result in significant impacts to existing roadways and indicated that the project traffic would not significantly impact the overall Level of Service at subject intersections. However, Public Works staff indicated that the project represents significant cumulative impacts related to wear on County roads. Additionally, the Public Works Department identified the southern access point to sorting / stockpile areas as a potential site distance issue. A project referral response was received by Public Works with regards to the revised project submittal (see Attachment 2).

In order to determine traffic impacts related to City and State facilities, the City of Paso Robles (email communication, John Falkenstien, City of Paso Robles Engineer, February 8, 2008,) and Caltrans (telephone communication, James Kilmer, Caltrans District 5 Development Review, January 31, 2008) were contacted and provided with project traffic information. Mr. Kilmer noted that Caltrans facilities would not be significantly impacted as a result of project implementation, and Mr. Falkenstien from the City of Paso Robles indicated that there would not be project impacts to City roadways if truck trips were confined to local highways and do not use City streets.

Based on the above discussion, impacts related to cumulative truck trips on County roadways and overall site circulation / traffic safety are considered significant unless mitigated.

Mitigation/Conclusion. The net increase to existing conditions along the proposed truck routes in average daily trip-ends is less than 2 percent. Due to the low levels of traffic generated by the proposed project, the potential immediate and cumulative impacts on level of services anticipated to be less than significant at this time.

To mitigate impacts associated with wear on County roads, the applicant / operator proposes to enter into an agreement with the County Public Works Department to deposit into the county road fund a sum to be determined by the County Public Works Department based upon the volume of resource being hauled over county roads (see Attachment 1).

Potential impacts associated with the southern access point (site distance issue), which provides access the southern sorting / stockpile location should be evaluated as part of the EIR. These measures shall become part of an Entrance Plan for the proposed project, drafted by a registered civil engineer, and should include but not be limited to the following:

- Discussion of sight distances and recommendations for improvements if necessary;
- Analysis of traffic queuing and recommendations for improvements if necessary;
- Overall traffic safety along haul routes and recommended safety measures (with requirements for cautionary signage at appropriate intervals along the proposed hauling routes);
- Erosion control and measures such as gravel pads and wheel washers used to avoid the tracking of dirt and sediment onto roadways; and

- Truck maneuvering, internal site circulation and all-weather access for emergency vehicles.

The applicant proposes to provide a log of truck traffic and drivers that includes the signature of all truck drivers and employees confirming that they have been notified of the prescribed hauling routes and that they agree to use only those prescribed routes. The truck log and signatures will be provided to the Planning Department on a monthly basis during operation.

To reduce potential safety conflicts with students in the vicinity of the proposed truck route, the applicant proposed restricted hauling hours between 7:45 and 8:15 and 2:45 and 3:15 on days when school is in session.

Transportation and circulation impacts resulting from the proposed project shall be evaluated as part of the project EIR. This shall be implemented through a peer review of the previously prepared traffic impact study. Consultation with County Department of Public Works, Caltrans, and the City of Paso Robles shall be required to determine if concerns previously raised by their agencies have been addressed.

13. WASTEWATER - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	☐	☐	☒	☐
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	☐	☐	☒	☐
c) Adversely affect community wastewater service provider?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

Setting. The proposed project does not include any permanent structural development and does not propose the construction or need for a wastewater system. During operation, the proposed project will include temporary site restroom facilities (i.e., portable toilets) that will be trucked off-site to a disposal facility.

Impact. The proposed project includes the operation of a sand and gravel mine and does not include any plans for structural development and would not include the need for any permanent wastewater facility. Impacts are considered less than significant.

Mitigation/Conclusion. No mitigation measures are required.

14. WATER - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate any water quality standards?	☐	☒	☐	☐

14. **WATER** - *Will the project:*		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b)	***Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?***	☐	☒	☐	☐
c)	***Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?***	☐	☐	☒	☐
d)	***Change the quantity or movement of available surface or ground water?***	☐	☒	☐	☐
e)	***Adversely affect community water service provider?***	☐	☐	☒	☐
f)	***Other:*** _____	☐	☐	☐	☐

Setting. The proposed project involves the operation of heavy equipment in and around the Salinas River and Vineyard Creek. The proposed project will utilize an on-site well for its water supply. This water will be used for dust control on stockpiles and access roads. The proposed project does not include any permanent structural development and would not introduce any new water users other than the use of water for dust mitigation.

The topography of the project is nearly level to very steeply sloping. The closest creeks (Salinas River and several of its unnamed tributaries) from the proposed development are on the subject properties. As described in the NRCS Soil Survey, the soil surface is considered to have low to high erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

The Salinas River has year around flows, although during the drier portions of the year (summer and fall) the river is regulated extensively by releases from the San Antonio and Nacimiento Reservoirs. The reservoirs are located down stream of the subject property and do not influence surface water flows in this location. Flows within the Salinas River are mostly subsurface, and is considered one of the largest submerged streams in the area and United States.

Impact. No activity will occur if surface waters are present in the extraction area (i.e. Salinas River and Vineyard Creek). Impacts to water quality related to the extraction of materials from the river systems are not anticipated because surface water will not be present during the extraction season.

As discussed in Section 7, Hazardous Materials, potential sources of surface water pollution at the project site include sediment in runoff, discharge of fluids such as wash water, and leaks or spills of toxic materials such as petroleum products. As discussed in their respective sections, these impacts to surface waters are considered significant but mitigable (see applicant measures in Attachment 1).

Mitigation/Conclusion. In addition to implementation of the applicant proposed mitigation measures in Section 6 (Geology and Soils) and Section 7 (Hazardous Materials), the applicant / operator will not

be allowed keep equipment in the river when not in use. The implementation of the above applicant proposed measures will mitigate water impacts to less than significant levels. This discussion should be included in the applicable section of the EIR.

15. LAND USE - ***Will the project:***	**Inconsistent**	**Potentially Inconsistent**	**Consistent**	**Not Applicable**
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	☐	☒	☐	☐
b) Be potentially inconsistent with any habitat or community conservation plan?	☐	☐	☒	☐
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	☐	☐	☒	☐
d) Be potentially incompatible with surrounding land uses?	☐	☒	☐	☐
e) Other: _____	☐	☐	☐	☐

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). Based on responses from these agencies and staff's review of applicable goals and policies, it was determined that the project would be potentially inconsistent with numerous policies and goals found in the above planning documents. The project may be inconsistent with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. The potential land use inconsistencies of the proposed project shall be evaluated as part of the project EIR.

16. MANDATORY FINDINGS OF SIGNIFICANCE - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐

b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) ☒ ☐ ☐ ☐

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
☒	County Public Works Department	**Attached**
☒	County Environmental Health Division	**Attached**
☒	County Agricultural Commissioner's Office	**In File****
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**Attached**
☐	County Sheriff's Department	**Not Applicable**
☒	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☒	CA Department of Fish and Game	**In File****
☐	CA Department of Forestry	**Attached**
☒	CA Department of Transportation	**Not Applicable**
☐	Community Service District	**Not Applicable**
☒	Other Department of Conservation (OMR)	**In File****
☒	Other Balance Hydrologics - Peer Review	**In File****

*** "No comment" or "No concerns"-type responses are usually not attached*

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

County documents

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  - ☒ Agriculture & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☐ Real Property Division Ordinance
- ☒ Trails Plan
- ☐ Solid Waste Management Plan
- ☒ Salinas River Area Plan and Update EIR
- ☐ Circulation Study

Other documents

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other ____

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Reclamation Plan for Indian valley Sand and Gravel; Department of Conservation; February 8, 2008.

Referral Response; Agriculture Department - Isensee; February 14, 2007.

Referral Response; Agriculture Department - Isensee; March 12, 2008.

Referral Response; APCD Comments Regarding the Pankey Sand and Gravel Salinas River Mining Project (DRC2005-00193); Mutziger; March 25, 2008.

Referral Response; APCD Comments Regarding the Proposed Pehl Mine Mitigated Negative Declaration; Mutziger; February 5, 2208.

Biological Assessment; Seay Biological Consulting; March 23, 2006.

Revised Biological Assessment; Seay Biological Consulting; September 27, 2007.

Cultural Resource Survey; Singer; May 7, 2006.

Anticipated Geomorphic Effect of In-Stream Mining on the Salinas River and Vineyard Canyon Creek; Bartow; July 24, 2006.

Pankey Mine Geomorphic Report Supplemental Information per items identified by Balance Hydrologics; Bartow; October 5, 2007.

Peer Review of Proposed Indian Valley Mine Geologic Study; Balance Hydrologics, Inc.; June 27, 2007.

Peer Review of Proposed Indian Valley Mine Geologic Study; Balance Hydrologics, Inc.; July 17, 2007.

Traffic Analysis – 4444 Indian Valley Road; Sierra Delta Corporation; August 2, 2006.

Revised Traffic Analysis – 4444 Indian Valley Road; Sierra Delta Corporation; November 2, 2006.

Area-Wide Adaptive Management Plan; Geomorph; July 17, 2009.

Air Quality Impact Analysis; Golder Associates; August 2009.